

2/26/08

MEG KETTELL  
197 WITHERS STREET, #1R  
BROOKLYN NY 11211  
646.489.3566  
megkettell@aol.com

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FEB 26 2008

U.S. DISTRICT JUDGE  
S.D.N.Y.

February 25, 2008

Via FAX

Honorable Harold Baer  
United States District Court Judge  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street, Room 2230  
New York, NY 10007  
(212) 805-7901

Re: Meg Kettell v. Suzanne M. Hall a/k/a Susan Hall,  
d/b/a Crimson Moon Productions, 08 Civ 00052 (HB)

Dear Honorable Judge Baer:

I am the Plaintiff in the above-referenced action. Currently there is a pre-trial conference scheduled for Thursday, February 28, 2008, at 2:00pm. I am writing to request that the conference be either cancelled (due to Defendant's continuing default in failing to file an Answer to the Amended Complaint) or adjourned to March 3, 2008, following the hearing on Plaintiff's motion on the preliminary injunction.

I submit that a pre-trial conference is not necessary in view of Defendant's default. Defendant's Answer to the Amended Complaint was due on February 5, 2008. Defendant has failed to serve an Answer despite several letters and communications calling attention to the due date and the default. In previous letters that I faxed to the Court on February 11 and February 18, 2008, I noted the default and asked the Court to enter a default judgment. Given the circumstances, there can be no reasonable excuse for the default.

If the Court, nonetheless, is inclined to overlook the default and permit Defendant to file a late answer, I request that a pre-trial scheduling order be addressed at the March 3<sup>rd</sup> hearing. Today, I received a call for work on a commercial shooting Thursday and Friday of this week. These two days of work would yield at least \$1200 in earnings, and I cannot afford to pass up this opportunity.

In connection with further scheduling, it should be noted that I will be starting work on a major motion picture on March 5, 2008, which engagement will continue full-time through June and I will be unable to take time off during such filming (although I will be available on weekends, if necessary).

I would appreciate advice on how the Court intends to proceed.

Respectfully submitted,

*M. Kettell*

Meg Kettell

cc: Jeffrey C. Ruderman, Esq.  
(via fax) (212) 661-5350

*Denied be here on  
you may subject your  
case to a dismissal*

*Harold Baer, Jr.*  
Harold Baer, Jr., U.S.D.J.  
Date: *2/25/08*